

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BSG RESOURCES (GUINEA) LIMITED, BSG
RESOURCES (GUINEA) SARL, and BSG
RESOURCES LIMITED,

Plaintiffs,

v.

GEORGE SOROS, OPEN SOCIETY FOUNDATIONS,
OPEN SOCIETY INSTITUTE, FOUNDATION TO
PROMOTE OPEN SOCIETY, OPEN SOCIETY
FOUNDATION, INC., ALLIANCE FOR OPEN
SOCIETY INTERNATIONAL INC., OPEN SOCIETY
POLICY CENTER, and OPEN SOCIETY FUND,

Defendants.

No. 1:17-cv-02726 (JFK) (AJP)

**DECLARATION OF JAMES FITZMAURICE
IN SUPPORT OF DEFENDANTS' OBJECTION TO MAGISTRATE JUDGE'S ORDER**

I, JAMES FITZMAURICE, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am a member of the bar of this Court and associated with the law firm of Willkie Farr & Gallagher LLP, counsel for George Soros, Open Society Foundations, Open Society Institute, Foundation to Promote Open Society, Open Society Foundation, Inc., Alliance for Open Society International, Inc., Open Society Policy Center, and Open Society Fund (collectively "Defendants"). I submit this declaration in support of Defendants' Objection To Magistrate Judge's Order, dated December 21, 2017. The facts contained in this Declaration are based upon my personal knowledge, including my review of the docket in this action.

2. Attached hereto as Exhibit A is a true and correct copy of Judge Keenan's Order granting Defendants' motion to stay the action pending arbitration, dated November 29, 2017 (Dkt. No. 136).

3. Attached hereto as Exhibit B is a true and correct copy of the letter from Elizabeth J. Bower to Magistrate Judge Peck, dated December 1, 2017 (Dkt. No. 137).

4. Attached hereto as Exhibit C is a true and correct copy of Magistrate Judge Peck's Order, dated December 1, 2017 (Dkt. No. 138).


5. Attached hereto as Exhibit D is a true and correct copy of the letter from Louis M. Solomon to Magistrate Judge Peck, dated December 6, 2017 (Dkt. No. 139).

6. Attached hereto as Exhibit E is a true and correct copy of the letter from Elizabeth J. Bower to Magistrate Judge Peck, dated December 6, 2017 (Dkt. No. 140).

7. Attached hereto as Exhibit F is a true and correct copy of Magistrate Judge Peck's Order, dated December 7, 2017 (Dkt. No. 141).

8. I declare under penalty of perjury that the foregoing is true and correct.

Dated: December 21, 2017
New York, New York


James Fitzmaurice